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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/762,684	01/20/2004	Henry Wurzburg	5707-06200	5272

7590 12/13/2005  
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EXAMINER


CAPUTO, LISA M

ART UNIT PAPER NUMBER

2876

DATE MAILED: 12/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/762,684	<b>Applicant(s)</b> WURZBURG, HENRY	
	<b>Examiner</b> Lisa M. Caputo	<b>Art Unit</b> 2876	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 19 September 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-4 and 6-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 21 is/are allowed.
- 6) ☐ Claim(s) 1-4, 6-9, 11-16 and 18-20 is/are rejected.
- 7) ☒ Claim(s) 10 and 17 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

1. Receipt is acknowledged of the amendment filed 19 September 2005.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. **Claims 1-2, 7-8, 11-12, 15-16, and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Bilich et al. [US 5,877,483-referred as Bilich].**

**Re Claim 1:** Bilich discloses a system, comprising:

a processor (CPU 14);

a host controller (logic 22) coupled to the processor (CPU 14);

a card reader 16 coupled to the host controller 22 via bus 18; and

wherein the card reader 16 is operable to apply power to a memory card in the card reader but is operable to discontinue applying power to a memory card 20 inserted into the card reader 16 if the memory card 20 has not been accessed in a first specified amount of time (i.e., Figure 1 shows the PC 10 comprising a power supply 12 connected to the CPU 14, memory 15, the card reader 16, and various I/O devices 17 for providing power thereto via one or more buses, the card is inserted to the reader to identify the authorized user, and when there has been no I/O activity of the predetermined time period, the user is logged off which discontinues supplying power to the card (power is in a discontinued status since the whole system is a continuous loop

as seen in Figures 2-3, meaning that the power application is able to be started and stopped at various times) and the PC 10 is powered down, see the abstract, col. 2, lines 15-24; col. 3, line 8-col. 4, line 37; and figures 1-2). It is respectfully submitted that Bilich teaches that the discontinuation of power application to the card is indeed performed before the processor is powered down (i.e. see col 5, lines 1-45).

**Re Claim 2:** wherein the card reader is internal to a computer system (i.e., PC 10) housing the processor (CPU 14, see figure 1).

**Re Claim 7:** if the memory card is accessed, the system is operable to apply power to the memory card (see col. 3, lines 62+).

**Re Claim 8:** wherein the system is operable to electrically disconnect the card reader from the host controller if the card has not been accessed for a second specified amount of time (see step 215 of figure 2).

**Re Claim 11:** wherein the host controller provides a peripheral bus interface for the card reader (see figure 1).

**Re Claims 12, 15-16, and 20:** Bilich discloses applying power to a memory card in a card reader coupled to a computer (i.e., applying an electromagnetic field power to a memory card 20, which is in a form of magnetic stripe or bar code, in a card reader when the card is inserted into the reader);

detecting whether a memory card has been accessed during a first specified amount of time (i.e., detecting any I/O activity, which also includes activity of access the data from the card, see the abstract, col. 2, lines 15-24; col. 3, line 8-col. 4, line 37; and figures 1-2);

if a memory card has not been accessed during a first specified amount of time, removing power from the memory card (i.e., when there has been no I/O activity of the predetermined time period, the user is logged off, thus, no electrical power is supplied to the card reader, which inherently includes the step of removing the electromagnetic field power applied to the memory card, see the abstract, col. 3, line 8-col. 4, line 37; and figures 1-2); and

if a memory card has been accessed during a first specified amount of time, continuing to power the memory card (see step 212 of figure 2).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 6, 9, 14, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bilich.** The teachings of Bilich have been discussed above.

Although Bilich teaches that the specified amount of time is five minutes, Bilich does not explicitly state that the first specified amount of time is approximately 0 to 10 seconds and second specified amount of time is approximately 0 to 10 minutes.

However, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to adjust the duration setting of the specified amount of time according to the availability of the power source capacity in the system, thus,

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setting the duration of the specified amount of time to greater or less than 5 minutes would have been obvious extension taught by Bilich.

**5. Claims 3-4, 13, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bilich in view of Admitted Prior Art by the Applicant [APAA].**

The teachings of Bilich have been discussed above.

Bilich does not disclose that the memory card is a flash memory card, that the card reader is external to a computer system housing the processor, that the host controller is a USB host controller, and that the card reader is a USB card reader.

APAA discloses that in the field of computer systems, the memory card is a flash memory card and the majority of flash-memory cards currently on the market are typically one of a smartMedia™ (SM) memory card, xD Picture Cards™ (xD), a Memory Stick™, a High Speed Memory Stick (HSMS), a Memory Stick PRO™ (MSPRO), a Secure Digital (SD) memory card, a MultiMediaMemory™ memory card (MMC), NAND Flash, Compact Flash™ (CF) or a CF form-factor Advanced Technology Attachment (ATA) hard drive (see page 2, lines 4-13). Further, the card reader is external to a computer system housing the processor, i.e., PDA and other handheld device using flash-memory card is typically an external device to a computer system housing the processor (see page 2, lines 10+). Also, the USB host controller allows for coupling of peripheral devices to a computer system, such as the card reader (see page 1, lines 8-18).

***Allowable Subject Matter***

6. Claims 10 and 17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
7. Claim 21 is allowed.
8. The following is a statement of reasons for the indication of allowable subject matter: the best prior art of the record fails to teach or fairly suggest the system using a sideband signal to signal the card reader to electrically reconnect to the host controller if there is an attempt to access the card, as set forth in the claims.

***Response to Arguments***

9. Applicant's arguments with respect to claims 1-4 and 19-21 have been considered but are moot in view of the new ground(s) of rejection. However, some arguments will still be responded to as they contain subject matter that still pertains to the case.

In response to applicant's argument that Bilich does not disclose, teach, or suggest that the power is discontinued without powering down the computer, examiner respectfully disagrees and submits that once the user is logged off, power is discontinued and then the PC is powered down (see Figures 2-3 and rejection above).

In response to applicant's argument that the statement of reasons for allowance is incomplete, examiner respectfully disagrees and submits that Bilich teaches the other limitations, hence the allowable subject matter as previously cited stands.

***Conclusion***

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10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Lisa M. Caputo** whose telephone number is (571) 272-2388. The examiner can normally be reached between the hours of 8:30AM to 5:00PM Monday through Friday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached at (571) 272-2398. The fax phone number for this Group is (571) 273-8300.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [lisa.caputo@uspto.gov].

*All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.*



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



LMC

December 8, 2005



**THIEN M. LE  
PRIMARY EXAMINER**